

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
)
Plaintiff,) 4:17CR3068
)
)
v.)
)
)
FRANCISCO DIAZ VARGAS,) ORDER
)
)
Defendant.)
)

At the oral request of Mr. Monzon, acting upon the request of Francisco Diaz Vargas, I will revisit my order effectively disqualifying Mr. Monzon. (*See* filing no. [26](#).) I will hear Mr. Monzon and his client out on this question, although I am doubtful that I will change my mind, given the facts that Mr. Monzon and Mr. Klein, the prosecutor, have previously disclosed to me in chambers.¹ Therefore,

IT IS ORDERED that Francisco Diaz Vargas, Mr. Monzon and Mr. Klein shall appear before me for a hearing on Monday, October 2, 2017, at 1:30 P.M. Mr. Monzon shall take care to notify Mr. Diaz Vargas.

DATED this 27th day of September, 2017.

BY THE COURT:

s/ Richard G. Kopf
Senior United States District Judge

¹ This includes advice from the Nebraska Supreme Court's Counsel on Discipline that Mr. Monzon has a conflict of interest inasmuch as he previously represented a confidential informant on a matter directly related to this case. Apparently, (1) the confidential informant will testify in this matter about drug purchases and sales between the defendant and the informant; (2) Mr. Monzon had discussions with the case agent in this matter regarding the confidential informant's possible cooperation with the government; and (3) the case agent may need to testify about those discussions in order to refute Diaz Vargas' theory of the defense.